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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

DONALD L. BASS and HANNELORE
BASS,

No. CV- 11-2345 SI

**STIPULATION TO REMAND CASE TO
CALIFORNIA SUPERIOR COURT**

vs

SEQUOIA VENTURES, INC., et al.,

Defendants.

)

Comes now Plaintiffs DONALD L. BASS and HANNELORE BASS, ("Plaintiffs") and Defendant HUNTINGTON INGALLS INCORPORATED fka NORTHROP GRUMMAN SHIPBUILDING, INC. ("HUNTINGTON INGALLS"), who file the following joint stipulation pursuant to Local Rules 7-1 and 7-12:

WHEREAS, Defendant HUNTINGTON INGALLS removed this case to the United States District Court for the Northern District of California on May 12, 2011, on the ground that the Court has "federal officer" subject matter jurisdiction under 28 United States Code § 1442(a)(1); and

WHEREAS, Defendant HUNTINGTON INGALLS was the sole removing defendant and no other defendant joined in removal or filed a separate notice of removal; and

WHEREAS, Plaintiffs have now waived any claims against defendant HUNTINGTON

1 INGALLS INCORPORATED fka NORTHROP GRUMMAN SHIPBUILDING, INC. relating
2 to or arising out of plaintiff's asbestos exposure at military and federal government jobsites or
3 from U.S. military vessels; and

4 WHEREAS, Defendant HUNTINGTON INGALLS' desire for a federal forum for this
5 action is now moot given the waiver of Plaintiff's federal claims against it; and

6 WHEREAS, pursuant to this resolution of the parties, Plaintiff and Defendant
7 HUNTINGTON INGALLS seek to have this action remanded to state court;

8 IT IS HEREBY STIPULATED by the affected parties, Plaintiff and Defendant
9 HUNTINGTON INGALLS, that this action shall be immediately remanded to the San
10 Francisco County Superior Court, Case No. CGC-11-275806, the court in which it was
11 originally filed and from which it was removed.

12 DATED: June 1 2011

BRAYTON & PURCELL LLP

13
14 By: 
Richard M. Grant (SB# 55677)
15 Attorneys for Plaintiffs

16 DATED: May 31 June 1 2011

TUCKER ELLIS & WEST LLP

17
18 By: 
Daniel J. Kelly (SB# 145088)
19 Attorneys for Defendant
20 HUNTINGTON INGALLS INC. fka
NORTHROP GRUMMAN SHIPBUILDING, INC.
CORPORATED

21 PURSUANT TO STIPULATION, IT IS SO ORDERED. This case is REMANDED to
22 the Superior Court of California, County of San Francisco, Case. No. CGC-11-275806. The
23 Clerk shall send a certified copy of this Order to the Clerk of the Court for the Superior Court
24 of California, County of San Francisco.

25 Dated: 6/20/11


HON. SUSAN ILLSTON
UNITED STATES DISTRICT COURT

PROOF OF SERVICE BY MAIL

I am employed in the County of Marin, State of California. I am over the age of 18 years and am not a party to the within action. My business address is 222 Rush Landing Road, P.O. Box 6169, Novato, California 94948-6169.

On June 1, 2011, I served the following document(s) described as:

STIPULATION TO REMAND CASE TO CALIFORNIA SUPERIOR COURT

on the interested party(ies) in this action as follows:

HUNTINGTON INGALLS INCORPORATED
(fka Northrop Grumman Shipbuilding, Inc.)

Daniel J. Kelly, Esq.

TUCKER ELLIS & WEST LLP

135 Main Street, Ste, 700

San Francisco, CA 94105

(415) 617-2400

(415) 617-2409 Fax

XX BY OFFICE MAILING

I am readily familiar with this office's practice of collection and processing correspondence, pleadings and other matters for mailing with the United States Postal Service on that same day with postage thereon fully prepaid at , California in the ordinary course of business. I placed in the outgoing office mail, the above-described document(s), in a sealed envelope, addressed to the party(ies) as stated above, for collection and processing for mailing the same day in accordance with ordinary office practices.

Executed June 1, 2011, at Novato, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.


Jane Ehni

Donald L. Bass, et al. v. Asbestos Defendants (B-P)
United States Dist. Ct. No. CV-11-2345 SI